

REMARKS

Claims 1-20 are pending in the present application. This paper amends claim 1-3, 5, 6, and 8-20. Support for the new subject matter within the claims may be found, generally, in Figures 9A and 9B, and their description in the specification, for example, at page 16, line 18, through page 22, line 3. Applicant believes these amendments to the claims add no new matter to the application and are fully supported by the original disclosure.

In the Final Office Action mailed on November 24, 2006, claims 1, 6, 7, and 14-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Leung, U.S. Patent Number 6,195,705 (“Leung” hereinafter) in view of Warriar *et al.*, U.S. Patent Number 6,707,809 (“Warriar”); claims 2, 3, 8-13, 17, and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Leung in view of Warriar and further in view of Moy, OSPF Version 2, Request for Comments: 1583 (March 1994) (“Moy”); claims 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Leung in view of Warriar and Moy, and further in view of Saleh *et al.*, U.S. Patent Number 6,801,496 (“Saleh”); and claims 19 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Leung in view of Warriar, and further in view of Dynarski *et al.*, U.S. Patent Number 6,272,129 (“Dynarski”).

Applicant respectfully responds to this Office Action.

Art Rejections

Independent claim 1 has been amended to recite steps of transferring an anchor point from a first entity to a second entity in a transparent manner by first propagating routes with a nominally low cost associated with the second entity, and then propagating routes with a nominally high cost associated with the same entity. In particular, claim 1 recites¹ a step of transmitting a first OSPF advertisement with a nominally low cost of sending packets having a first destination address of the anchor point (*e.g.*, IP_{DCO}) to the second entity (*e.g.*, MPC B). Because the cost is nominally low, the packets with the first destination address will be sent to the second entity (rather than the first entity) after the routes with the low cost propagate through the network. Claim 1 further recites the step of transmitting a second OSPF advertisement

discontinuing routing the packets with the first destination address and packets with a second destination address (*e.g.*, IP_{DCT}) of the anchor point to the first entity. Claim 1 also recites the step of transmitting a third OSPF advertisement with a nominally low cost of sending the packets with the second address to the second entity. (The two nominally low costs may but need not be the same.) After the routes with the low cost for the packets to the second address propagate through the network, the packets with both addresses of the anchor point should be sent to the second entity instead of the first entity. Claim 1 also recites the step of transmitting a fourth OSPF advertisement with a nominally high cost of sending the packets with both addresses to the second entity.

Note that the transfer of the anchor point is performed during the active session through the anchor point, between a wireless access terminal and a peer entity in the wireless network. The anchor point is transferred in a manner that is transparent to the peer entity, so that the peer entity communicating with the anchor point need not be affected or even become aware that the anchor point has moved in the course of the session. Note further that the step of transmitting the fourth OSPF link state advertisement puts the network in a state such that the steps can be performed again to move the anchor point from the second entity back to the first entity, or to still another entity.

Applicant respectfully submits that the art of record does not disclose or suggest such method for transferring an anchor point. Leung discloses, *inter alia*, automatic backup of a Home or Foreign Agent in a Mobile IP network. Leung apparently does not disclose or suggest propagating routes with different nominal costs in order to transfer an anchor point from one entity to another entity during a communication session through the anchor point. Warrior discloses, *inter alia*, a method for forwarding data to an idle mobile node, and a home agent that can be used to practice the method. Warrior also fails to disclose or suggest transparent transfer of an anchor point during a communication session through the anchor point, or performing such transfer by propagating routes with different nominal costs. Moy, Saleh, and Dynarski apparently also fail to disclose or suggest the steps of such transparent transfer. Applicant respectfully submits that independent claim 1 is patentable over the references, because the

¹ Claim verbiage is paraphrased in this argument section, in order to make the claims more understandable. Of course, the actual claim verbiage controls claim construction.

references fail to disclose all the limitations recited in claim 1. Independent claims 3 and 14 recite limitations identical or analogous to those discussed above in relation to claim 1, and should be patentable over the references at least for the same reasons.

Dependent claim 2 recites a further step of sending a first message from the first entity to the second entity. The first message includes (1) network interface information, and (2) a request to perform a first phase of anchor point transfer. Neither Leung nor Warrior nor Moy appears to disclose or suggest sending a message with both network interface information and a request to perform a first phase of anchor point transfer in the course of a transparent transfer. Applicant respectfully submits that claim 2 is separately patentable over Leung and Warrior at least for this reason.

Dependent claims 6, 9, 10, 13, 15, and 18 recite deallocating resources associated with the anchor point at the first entity. In this way, the deallocated resources may be reused. In rejecting claims 6 and 15, the Final Office Action cited Leung at column 20, lines 59-67, as teaching deactivating resources. Whether or not Leung teaches *deactivating* resources, it apparently does not teach *deallocating* resources. To *allocate* in the current context means to *assign*, *allot*, or *devote*. OXFORD UNIVERSITY PRESS, THE NEW SHORTER OXFORD ENGLISH DICTIONARY (CD-ROM ed. 1996). The prefix *de* denotes removal or reversal. *Id.* Deallocating is therefore the opposite of assigning, allotting, or devoting. Deallocating is not necessarily the same as deactivating. It appears that Leung does not disclose deallocating resources associated with the anchor point at the first entity. At least for this reason, Applicant respectfully submits that dependent claims 6, 9, 10, 13, 15, and 18 are separately patentable over the references.

Dependent claims 8, 9, 12, 13, 17, and 18 recite sending an ARP message informing entities that packets with the second destination address may be sent to the second entity. This is done in the course of transferring the anchor point to the second entity, and therefore during the communication session through the anchor point. In rejecting these claims, the Final Office Action asserted that Leung teaches sending an ARP message, citing column 23, lines 1-10. It appears, however, that even if Leung teaches sending an ARP message, it does not disclose or suggest sending an ARP message with an address of an anchor point being transferred in the course of the communication session through the anchor point.

The discussion above addresses rejections of all independent claims and of selected dependent claims. Dependent claims that have not been specifically addressed should be patentable at least for the same reasons as their respective base claims and intervening claims, if any.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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By: _____
Larry Moskowitz, Reg. No. 42,911
(858) 651-4556

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (858) 651-4125
Facsimile: (858) 658-2502